



Slovak Republic

Country Reports on Human Rights Practices - [2000](#)

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The Slovak Republic became an independent state in 1993, following the dissolution of the Czech and Slovak Federal Republic (CSFR). Its Constitution provides for a multiparty, multiethnic parliamentary democracy, including separation of powers. Prime Minister Mikulas Dzurinda took office after parliamentary elections in the fall of 1998. The first direct presidential elections were held in May 1999. Both elections were declared free and fair by the Organization for Security and Cooperation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR). The Slovak Republic chose to carry over the entire body of CSFR domestic legislation and international treaty obligations, which still are being renewed or updated. The Constitution provides for an independent judiciary; however, some experts allege that the Ministry of Justice's logistical and personnel authority allows it to exert some influence on the judicial system.

The national police, which fall under the jurisdiction of the Ministry of Interior, are the primary law enforcement agency. In addition to domestic law enforcement, they also have responsibility for border security. The Slovak Information Service (SIS), an independent organization reporting directly to the Prime Minister, is responsible for all civilian security and intelligence activities. A parliamentary commission composed of legislators from ruling and opposition parties oversees the SIS. Civilian authorities generally maintain effective control of the security forces. Police committed some human rights abuses.

The Slovak Republic continued to make progress in the transition to a market-based economy, with more than 83 percent of the gross domestic product (GDP) now generated by the private sector. The economy is largely industrial, with only 5 percent of the GDP generated by agricultural production. Major exports are iron and steel products, vehicles and automobile parts, audio and video equipment, machinery and transport equipment, petroleum products, and organic chemicals. GDP growth reached 2 percent during the year. The economy's growth is fueled by foreign demand as exports increased by 30 percent in the third quarter of the year. Inflation grew by 12 percent, lower than expected, due to a combination of increases in regulated prices, growing competition on the retail market, and lower than expected domestic demand. Slow growth is largely the result of the failure of the previous government to implement structural reforms, such as financial sector privatization and industrial restructuring. The GDP per capita was \$3,569 during the year. This provided most of the population with an adequate standard of living. The unemployment rate was 18.8 percent at year's end, reaching almost 30 percent in some areas. A disproportionate number of unemployed are Roma, who face exceptional difficulties in finding and holding jobs, partly as a result of discrimination. According to the law, social benefits of those unemployed over 2 years were cut in half. Savings have been transferred to municipalities to pay for community service jobs. More than 64,000 jobs have been created to date, of which over half have gone to the Roma minority.

The Government generally respected the human rights of its citizens, and the human rights situation improved during the year; however, problems remained in some areas. Police on occasion allegedly beat and abused Roma. Although the practice under the former government of using the SIS to conduct surveillance of many political figures, journalists, and their spouses nearly has been eliminated, there were allegations in October that this surveillance continues on both opposition and government politicians. The absence of government intimidation removed the pressure on journalists to practice self-censorship. Media monitors report that government politicization of the state-owned electronic media nearly has been eliminated; and although the potential for political interference with Slovak Television (STV) and Slovak Radio (SRO) exists because they are reliant on government funds, no threats of retaliation for negative reporting of government actions were reported. On May 17, the Parliament approved a Freedom of Information Act, which grants citizens access to virtually all unclassified information from national and local government offices. Discrimination and violence against women remain problems. Cases of abuse of children and discrimination against the disabled were reported. Ethnic minorities, in particular Roma, faced societal discrimination. The frequency of skinhead

attacks on Roma appeared to remain the same during the year. Police sometimes failed to provide adequate protection against these attacks or to investigate such cases vigorously. Some anti-Semitic incidents occurred, and limited societal discrimination against the Hungarian minority persists, mainly in regions where only small numbers of the ethnic Hungarian minority reside. There were instances of trafficking in women and girls.

During the year, the Government initiated investigations into some serious crimes. In 1999 the Government created the position of special government commissioner for Roma issues in the Office of Deputy Prime Minister for Human Rights and Minorities. However, the Government still has not fulfilled the United Nations (UN) recommendation to create a national committee for human rights and a human rights ombudsman. The government Office for Human Rights and National Minorities established an ad hoc working group in June to examine existing anti-discrimination legislation. The group completed an in-depth analysis of the legislation in December and found that although anti-discrimination provisions in the Penal Code are sufficient, improvements in the Civil Code and more effective implementation of all legislation are needed. The cabinet approved an action plan to prevent all forms of discrimination and intolerance.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no confirmed reports of political killings by government officials.

However, former Prime Minister Meciar's party, the Movement for a Democratic Slovakia (HZDS), alleges that the January 1999 killing of Jan Ducky, the former Economy Minister under the Meciar Government and head of the national gas distribution monopoly, was the result of a political vendetta. Ducky was killed in the lobby of his apartment building a week after the authorities filed charges against him for financial mismanagement and illegal property transfers while at the gas monopoly. Interior Minister Ladislav Pittner publicly speculated that Ducky might have been killed to prevent his testimony. In November the Bratislava district court ruled to halt the criminal prosecution of Ukrainian citizen Oleg T. due to lack of incriminating evidence, although the appeals court has not yet confirmed this decision. The investigation into the murder of Ducky continued at year's end.

The August 1999 case of a police officer allegedly shooting a 21-year-old Rom during interrogation is still under investigation, and the police officer involved was dismissed this year for violating the law by interrogating the Rom alone when he had access to a gun. The Government has appointed independent investigators to examine the case further; the investigation continued at year's end.

There was no progress during the year in the on-going investigation of the 1996 death of Robert Remias. There has been widespread press speculation that elements of the security services under the Meciar administration were involved in his death.

In November 1999, Minister of Justice Jan Carnogursky established a department for the documentation of crimes committed by the communist regime. The commission provides legal advice regarding restitution and rehabilitation after imprisonment or persecution during the communist regime. The commission responded to approximately 250 requests during the year. The commission also prepared draft legislation to assist victims of the communist regime.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, both national and city police on occasion allegedly beat suspects in custody. Police reportedly use pressure and threats to discourage Roma from pressing charges of police brutality (see Section 1.e.). Credible sources say that the police sometimes tolerate violence against Roma by not thoroughly investigating attacks against them in a timely and thorough manner or by coercing Roma to refrain from submitting incriminating evidence (see Sections 1.e. and 5.). Some police also infringe on the rights of Roma to social benefits and housing (see Section 2.d.). In 1998 and 1999, Roma in the town of Vrable lodged complaints against local law enforcement officer Roman Frajka for allegedly attacking

teenage Romani boys. The Ministry of Interior investigated the case and found Frajka not guilty. The case was closed and no official charges or further complaints were registered against him this year.

Residents of African and Asian origin continued to complain that police fail to investigate skinhead attacks against them.

The 1995 case of the violent abduction of the former president's son, Michal Kovac, Jr. to Austria, during which he was tortured, remains unsolved. The Government actively reinvestigated the case in which former SIS personnel are alleged to be implicated. Interior Minister Pittner released a report in January 1999 attesting to the SIS's influence over the Ministry of Interior under Meciar, especially over the investigative and criminal police sections. In February 1999, the police arrested two former high-ranking officers of the SIS. The Constitutional Court concluded that amnesties granted to Gustav Krajci and a second official involved in the case, Jaroslav Svechota, by former Prime Minister Meciar shielded them from prosecution. Police closed their investigation in April. Twelve persons, most of whom were formerly members of the SIS, were charged. Former SIS head Ivan Lexa was the primary person accused.

In April 1999, the Parliament lifted the immunity of former SIS head Ivan Lexa in five of the seven criminal cases in which he allegedly was implicated. Subsequently he was placed in preliminary detention; however, he was released later on the decision of a regional court due to insufficient evidence. On September 4, the Bratislava district court issued an international warrant for the arrest of Lexa, who allegedly had fled the country. Lexa faces several charges, including abuse of power, fraud, and money laundering. Following the issuance of the international arrest warrant, Slovak police applied for Interpol's help in finding and detaining him. Lexa's attorneys have charged that the Government's continued pursuit of their client is unfair persecution since they argue that he cannot be prosecuted because of Meciar's amnesties. However, the Government's investigation into Lexa's involvement in crimes for which he had not received amnesty continues.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government observes these prohibitions.

A person accused or suspected of a crime must be given a hearing within 24 hours and be either set free or remanded by the court. During this time, the detainee has the right to an attorney. If remanded by a court, the accused is entitled to an additional hearing within 24 hours, at which time the judge either sets the accused free or issues a substantive written order placing the accused in custody. Some critics argue that the initial 24-hour detainment period, during which time investigators must gather all evidence, which can be submitted, to the prosecutor, is not sufficient and occasionally results in the release of guilty suspects. A Ministry of Justice judicial reform committee recommended lengthening the initial detainment period to 72 hours.

In April Special Forces broke into the residence of former Prime Minister Vladimir Meciar, and detained and transported him to Bratislava to question him concerning his alleged misuse of authority as a public official. His supporters called the action an excessive use of force and an illegal and politically motivated indictment. Police defended the action and stated that it was in accordance with the law.

Investigative detention may last 18 to 40 days, with further pretrial detention permitted. The total length of pretrial detention may not exceed 1 year, unless the Supreme Court extends it, after determining that the person constitutes a serious danger to society.

Pretrial detainees constituted roughly 26.7 percent of the total prison population, and the average pretrial detention period was 7.2 months. The law allows family visits and provides for a court-paid attorney if needed. A system of bail exists. Noncitizens may be held for up to 30 days for identification purposes or for 18 to 40 days in investigative detention. Detainees have the right to see an attorney immediately and should be notified of this right; however, one nongovernmental organization (NGO) reports that not all detainees are notified of their rights.

The law allows monthly family visits upon request and receipt by detainees of a package of up to 10 pounds every 2 weeks. Attorney visits are allowed as frequently as necessary, and consular visits are allowed upon request by the judge.

The Constitution prohibits exile, and the Government observes this prohibition.

e. Denial of Fair Public Trial

The Constitution provides for courts that are independent, impartial, and separate from the other branches of government; however, some critics allege that the dependence of judges upon the Ministry of Justice for logistical support, the granting of leave requests, and other services undermines their independent status. Also, the Ministry of Justice can demote presidents and vice presidents of the courts for any reason, although they remain judges, and it has done so. Although not specified in legislation, in practice the Judicial Council, an independent organization of lawyers and judges, recommends nominations for presidents of courts, and the Minister of Justice then officially nominates the recommended judge. The Ministry has denied nomination of only one of the council's recommendations. This practice increases the independence of the judicial branch.

The court system consists of local and regional courts, with the Supreme Court as the highest court of appeal except for on constitutional questions. There is a separate Constitutional Court—with no ties to the Ministry of Justice—that considers constitutional issues. In addition there is a separate military court system, the decisions of which may be appealed to the Supreme Court and the Constitutional Court. Under the Constitution, the President appoints Constitutional Court judges to 7-year terms based upon parliamentary nominations. Parliament elects other judges, based on recommendations from the Ministry of Justice, and can remove them for misconduct.

Many activists make credible allegations that some judges are corrupt and that adequate safeguards against corruption do not exist.

Persons charged with criminal offenses are entitled to fair and open public trials. They have the right to be informed of the charges against them and of their legal rights, to retain and consult with counsel sufficiently in advance to prepare a defense, and to confront witnesses. Defendants enjoy a presumption of innocence. Defendants also have the right to refuse to make self-incriminating statements, and they may appeal any judgment against them.

According to existing legislation, suspects are presumed innocent during the appeal process, and if that process lasts more than 3 years, the suspect will be released. Critics say that this rule occasionally results in the release of dangerous criminals.

Human rights monitors continued to charge that police and investigators are reluctant to take the testimony of witnesses, particularly Roma, to skinhead attacks on Roma, and police on occasion have failed to investigate cases of skinhead violence when the skinhead did not admit the crime (see Sections 1.c. and 5). Some NGO's have defended the police, contending that the real fault lies in the legislation, which states that only evidence that is collected by the investigator in the 24-hour detention period can be considered in the decision on whether to hold the suspect. Furthermore human rights monitors reported that police used the device of countercharges or threats of countercharges to pressure Roma victims of police brutality to drop their complaints. They also reported that medical doctors and investigators cooperated with police by refusing to describe accurately the injuries involved, and that lawyers often were reluctant to represent Roma in such situations, for fear that this would have a negative effect on their law practice.

Credible sources say that it is increasingly difficult for citizens who are disadvantaged economically to obtain noncriminal legal representation, and therefore it is becoming more difficult for some who may have had their rights infringed upon to take further legal action. The Ministry of Justice has initiated a program in which free legal advice is offered in seven cities every Wednesday for 5 hours. However, a legal NGO claimed that a more systematic approach is necessary. The practice of Chamber of Advocates leadership encouraging their membership to avoid indigent cases has been eliminated. The Slovak bar association currently is preparing a program to encourage lawyers to accept pro-bono cases.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or

Correspondence

The law provides for these rights, but the authorities sometimes infringed upon them. The Criminal Code requires police to obtain a judicial search warrant in order to enter a home. The court may issue such a warrant only if there is a well-founded suspicion that important evidence or persons accused of criminal activity are present inside, or if there is some other important reason. Police must present the warrant before conducting the house search or within 24 hours after the search.

Some Roma activists have alleged that local police detachments on occasion have entered Roma premises without a search warrant.

The 1993 police law regulates wiretapping and mail surveillance for the purposes of criminal investigation, which may be conducted on the order of a judge or prosecutor only in cases of extraordinarily serious premeditated crimes or crimes involving international treaty obligations. There were allegations in October that SIS surveillance continued on both opposition and government politicians (see Section 2.a). Unlike during the previous year, there were no known reports of alleged government surveillance of Roma.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects this right in practice. The print media are free and uncensored. Individuals report that they feel able to criticize the Government without fear of reprisal. However, there were many allegations in October that this surveillance continues on both opposition and government politicians (see Section 1.f.).

Newspapers and magazines regularly publish a wide range of opinions and news articles. The politicization of state-owned broadcast media, which was a significant problem under the previous Government, no longer is evident. There were no reported cases of journalists being intimidated or threatened in attempts to influence their reporting during the year.

The potential for political interference exists because STV and SRO are reliant on government funds; there have been no reports of such interference this year. However, STV and SRO officials assert that government officials do not threaten retaliation if they do not report the news to the Government's liking.

In one case the Government used libel laws to suppress criticism of political or other leaders, and some human rights activists have criticized the section of the Penal Code that prohibits the defamation of the republic. The Government does not use tax laws or allocations of newsprint or advertising revenue to suppress criticism of political and other leaders or the expression of viewpoints not favored by the Government.

On February 16, former HZDS Member of Parliament (M.P.) Frantisek Gauleider rescinded his complaint to the European Court for Human Rights in Strasbourg against the Slovak Republic for his 1996 expulsion from Parliament, after the Government agreed to a conciliation agreement and financial compensation.

On March 23, the editor-in-chief of the extreme nationalist weekly Zmena, Vladimir Mohorita, was found guilty of defaming the Government in an article in which he used inflammatory rhetoric to criticize the Government for its decision to open its airspace to NATO flights during the Kosovo crisis. Mohorita called the decision a "shameful and fratricidal act," denounced the Cabinet as a "government of mass murderers," and attacked the "crazy Satanists from the United States." He received a 4-month suspended sentence with 2 years probation. The law under which he was charged, Article 102 of the Penal Code, had been passed under the Government of former Prime Minister Vladimir Meciar.

On May 17, the Parliament approved a Freedom of Information Act, effective January 1, 2001, which grants citizens access to virtually all unclassified information from national and local government offices.

None of the 26 journalists fired from the STV in 1999 have pursued legal action or received legal relief.

Three boards appointed by a majority vote of Parliament supervise radio and television broadcasting. The Slovak Television Council and the Slovak Radio Council establish broadcasting policy for state-owned television and radio. The Slovak Council for Radio and Television Broadcasting issues broadcast licenses and administers advertising laws and some other regulations. The Radio and Television Council has made significant progress in fostering the spread of private broadcasting, for which it has issued 27 radio and 78 television and cable television licenses. TV Markiza, a private company with a signal covering two-thirds of the country, is the most watched station.

The Government does not censor books, films, or plays; it also does not limit access to the Internet.

Money has been reallocated to minority groups for the publication of minority language newspapers. However, the media monitoring organization Memo said that from April until June, Slovak media devoted only one percent of their combined airtime to minority issues. In addition Roma received no positive coverage, and the Czech, Ukrainian, and Ruthenian minorities received no coverage.

The law provides for academic freedom. Unlike the previous government, the current Government neither

intervenes in the administration and funding of institutions of higher education, nor approves all professors' appointments. Many of the school administrators who were appointed based solely upon political favoritism during the previous regime have been replaced. The practice of diverting money from the older, then pro-opposition, universities largely has been reversed. In April the Parliament passed legislation establishing a private Catholic university in the town of Ruzomberok, which officially opened in September. It received a state subsidy of \$200,000, which constitutes 70 percent of the school's budget. The use of bribery by some students to increase their chances for acceptance into some more prestigious faculties is believed widely to result in unequal access for economically disadvantaged students.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. Registration is not required, but under existing law, only registered churches and religious organizations have the explicit right to conduct public worship services and other activities. However, in practice no specific religions are banned or discouraged by the authorities. In order to register as a church, a religious organization must collect the signatures of 20,000 persons with long-term residency in the country. Some experts argue that the requirement to collect 20,000 signatures is too stringent and unfairly limits the registration of smaller churches. The State provides financial benefits, including subsidies for clergy and office expenses, only to the 15 registered churches and religious organizations.

In February 1999, police arrested two former high officials in the SIS for involvement in the 1995 effort to discredit the chairman of the Slovak Bishops Conference. Allegedly the SIS framed the Bishop for selling religious art for personal gain. If convicted, former Chief of the SIS Counterintelligence Unit Jaroslav Svehota and Deputy Director of the Surveillance Unit Robert Beno would face sentences of between 5 and 12 years in jail. SIS involvement in the case was proven, and property was returned; however, the court had not made any rulings regarding Svehota or Beno by year's end.

By law churches and religious organizations could apply for the return of their property that had been confiscated by the communist government; the deadline for these claims was December 31, 1994. The property was returned by the State, by municipalities, by state legal entities, and under certain conditions by private persons. The main obstacles to the resolution of outstanding restitution claims are the Government's lack of financial resources, and bureaucratic resistance on the part of those entities required to vacate restitutable properties. While the Orthodox Church reported that six of the seven properties on which it had filed claims already had been returned, the Catholic Church and the Federation of Jewish Communities (FJC) reported lower rates of success. The FJC is dissatisfied with the Government's failure to discuss compensation for property that belonged to Jewish families who no longer have living heirs.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government respects them in practice.

According to a legal rights NGO, although the law requires state administrators to register all citizens, some local police officers refused to give a registration stamp to Romani citizens, which prevents them from receiving social benefits and housing.

The law includes provisions for granting refugee/asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. During the year, 1,556 persons applied for asylum. Of these cases and cases held over from previous years, none were granted citizenship, 10 were accepted as refugees, 123 claims were rejected, 1,366 persons terminated their cases, and 400 cases were pending at year's end.

On April 19, Parliament amended the law on refugees to no longer require asylum seekers to register at the migration office within 24 hours of entering the country.

There were no reports of the forced expulsion of those having a valid claim to refugee status; however, some refugee claimants had difficulty in gaining access to initial processing.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have the constitutional right to change their government through the periodic free election of their national representatives. All citizens over the age of 18 are eligible to vote, and voting is by secret ballot. The Constitution reserves certain powers to the President as Chief of State (directly elected by the citizens), but executive power rests with the Prime Minister. Legislative power is vested in the National Council of the Slovak Republic (Parliament).

On August 31, charges against former Minister of Interior, Gustav Krajci, for abuse of power and forgery of ballots in the 1997 referendum on direct presidential elections were dropped. As deputy chairman of the central election commission, Krajci allegedly deleted from the referendum ballot the question on holding direct elections for president and marked the new ballot with the commission's official stamp, without notifying the commission of the change. Legal proceedings were halted because of a Constitutional Court ruling that Krajci was covered by an amnesty issued by former Prime Minister Meciar while the latter was temporarily exercising presidential authority.

Women are underrepresented in government and politics. There are 2 female ministers, 1 of the 9 Constitutional Court judges appointed in November 1999 is a woman, and women hold 21 seats in the 150-member Parliament. In the last parliamentary elections, only 273 of the 1,618 candidates (17 percent) were women.

The large ethnic Hungarian minority, whose coalition gained 15 seats in Parliament in the September 1998 elections, is well represented in Parliament and the Government. One ethnic Hungarian sits on the Constitutional Court. Roma are not represented in Parliament, but a Rom holds the position of Government Commissioner for Roma Issues.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials generally are cooperative and responsive to their views. A 1996 law requiring NGO's and foundations to reregister and have substantial financial resources in order to operate, eliminated some foundations, primarily dormant groups. However, no organization was denied registration or faced any other major problem in continuing to operate. Some NGO leaders continued to allege that the current Government at times is unresponsive to their requests.

Roma calls for Deputy Prime Minister Csaky's resignation had little effect. The Roma community appeared more satisfied with the performance of his office during the year; however, there has been an increase in dissatisfaction among Roma with the performance of the Government's commissioner for Roma Issues, Vincent Danihel. The Roma community has called for Danihel's resignation to little effect.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination and provides for the equality of all citizens. However, enforcement is uneven, with different minority groups reporting that their members often receive no government assistance with complaints about discrimination. Health care, education, retirement benefits, and other social services are provided regardless of race, sex, religion, disability, language, or social status; however, there were credible reports by human rights monitors that indicate that Roma continued to suffer from discrimination in employment, housing, schooling, health care, and the administration of state services. Deputy Prime Minister Csaky's office appointed a commission in May to examine existing anti-discrimination legislation and determine whether additional legislation is necessary. The committee completed its assignment in December. The result of the committee's findings indicate that the Penal Code sufficiently addresses anti-discrimination concerns, but both improved legislation protecting civil rights and better implementation of the legislation is needed.

Women

Violence, particularly sexual violence against women, remains a serious and underreported problem. According to Ministry of Interior statistics, both domestic and public violence against women has been increasing: 1,000 cases of public violence were registered in 1997, compared with 276 in 1985. Domestic violence in 1997 included 2,656 cases, compared with 1,874 in 1995 when statistics first were kept. Further police statistics indicate that from 1995 to 1997, 69.8 percent of all violent crimes occurred at home, with 90 percent of the victims being women or children. One NGO's regional research showed that 38 to 40 percent of women were victims of domestic violence. A national poll from this year indicated that as many as one in five women are subjected to some form of physical violence in the home, and that 70 percent of all violence

against women occurs in the home. Police estimate that two-thirds of female rape victims fail to report their cases. Police treat spousal abuse, other violence against women, and child abuse in the same way as other criminal offenses; sections in the criminal code specifically address rape, sexual abuse, and trafficking in women.

Legislation has not yet recognized and defined the term domestic violence. There is one consulting center for abused women in the country. There is no shelter for battered women without children, but there are three family shelters for victims of child and spousal abuse. In the view of some NGO's, the lack of relevant data on domestic violence is used by police authorities to downplay the extent of domestic violence.

Many activists argue that existing legislation does not specifically address domestic violence and fails to protect victims sufficiently, but noted that the Government adopted a law that addresses specifically abuse of family members. As a result of amendments to the criminal code that took effect in 1994, prostitution is not illegal. However, the code prohibits activities related to prostitution, such as renting apartments for conducting prostitution, spreading sexually transmitted diseases, or trafficking in women for the purpose of prostitution. Trafficking in women is a problem, and the Government views it with concern (see Section 6.f.).

Women are equal under the law. They have the same property, inheritance, and other legal rights as men. However, discrimination against women remained a problem. According to sociological studies, women receive approximately 85 percent of men's wages for similar work. However, the definition of similar work is not defined precisely. For example, women may have fewer years' experience on the job due to time spent out of the work force raising a family. Women earn, on average, 22 percent less than men.

In December 1997, the Gender Center for Equal Treatment of Men and Women was founded. The Center is an independent NGO that cooperates with the U.N. Development Program and the Government. The Government's Coordinating Committee for Women's Affairs (including NGO's) has done little to implement the 1997 national action plan meant to reduce violence against women, protect women's health, and reduce women's economic disadvantages.

Children

The Government demonstrates its commitment to children's rights and welfare through its system of public education and medical care. The Ministry of Labor oversees implementation of the Government's programs for children. The Constitution, the law on education, the Labor Code, and the system of assistance payments to families with children each address in part the issue of children's rights. Education is universal, free, and compulsory for 9 years, or until the age of 15.

Abuse of children remains a problem and is underreported. Experts from various state institutions dealing with child abuse claim that there are significant discrepancies between official figures on child violence and the actual situation. A 1999 survey of over 7,000 children conducted by an NGO offering resources to abused children indicated that 12 percent of children are victims of sexual abuse, while 20 percent are victims of physical abuse. According to available police statistics, child beating and sexual abuse are on the rise. In 1997 there were 1,083 reported cases of crimes against children. Among the most frequent crimes committed against children were: Nonpayment of child support, sexual violence, and beatings. In the past 10 years, only 127 cases of abused children were reported officially, while the actual number is likely 20 to 30 times greater. According to independent research, 25 percent of all children are punished physically on a regular basis. The lack of legislation protecting children in state institutions presents a problem.

Youth criminality has increased as well. In 1990 children under the age of 15 reportedly committed 226 crimes; in 2000 this number rose to 4,159. Juveniles (15 to 18 years of age) committed 5,565 crimes during the year. Child prostitution is not addressed specifically in the Criminal Code, but is covered by more general provisions in the law. The Penal Code was amended in September 1999 to include a provision outlawing child pornography.

The U.N. Children's Fund (UNICEF), several NGO's, and other institutions dealing with children's issues have called for amendments to the law on families, particularly the part on relations between parents and children. Although new departments dealing specifically with children's issues have been established in the Ministries of Education and Social affairs, the Government has not yet created an ombudsman's office to defend children's rights, as UNICEF recommended in 1999. In June the Ministry of Social Affairs established a Commission on the Rights of the Child. The Commission provides information to children regarding their rights and performs the duties traditionally fulfilled by an ombudsman. There are two regional emergency hot line numbers for abused children and one counseling help line.

Existing legislation appears to place emphasis on parents' rights over children's rights. Current legislation allows parents to place their child in a state-run institution for abandoned children, and as long as contact is maintained once every 6 months, the child remains in the custody of the parents and cannot be adopted. NGO leaders claim that existing legislation protects aggressors before victims. If a husband or wife is guilty of child and/or spousal abuse, it is often the victim who is forced to leave the family home. However, legislation was amended in 1999 to allow children who are victims of physical or sexual abuse to seek assistance and treatment, without parental consent.

Trafficking of girls for the purpose of forced prostitution is a problem (see Sections 6.c. and 6.f.).

People with Disabilities

The Constitution and implementing legislation provide for health protection and special working conditions for mentally and physically disabled persons, including special protection in employment relations and special assistance in training. A 1994 decree provides incentives to employers who create a "sheltered" workplace (i.e., a certain percentage of jobs set aside for the disabled). The law also prohibits discrimination against physically disabled individuals in employment, education, and the provision of other state services. Nevertheless, experts report discrimination in the accessibility of premises and access to education (especially higher education), and in 1998 the quotas for mandatory hiring of disabled citizens were lowered in accordance with employers' wishes. Although not required specifically by law, another 1994 Government decree mandates accessibility for new public building construction. The decree provides for sanctions but lacks a mechanism to enforce them. A spokeswoman for an NGO dealing with the disabled said that due to pressure from a number of NGO's and the willingness of the Dzurinda Government, accessibility has been improving, particularly regarding new construction; however, many barriers remain. NGO's complained that other legislation, including the provision of jobs for the disabled, while on the books, often is ignored.

Religious Minorities

Despite an order by former Prime Minister Meciar to withdraw a controversial history book entitled the "History of the Slovak Republic and the Slovaks" by Milan Durica, it remains available in schools. The book has been criticized widely by religious groups and the Slovak Academy of Sciences for gross inaccuracies and distortions, particularly in its portrayal of wartime Slovakia and the deportation of Jews and Roma.

In March the city council of the town of Zilina announced its decision to install a plaque honoring the Nazi-collaborationist and wartime Slovak President, Jozef Tiso, on the city's Catholic community center. High-level politicians including President Rudolf Schuster and Prime Minister Mikulas Dzurinda publicly condemned the proposal. The council eventually reversed its decision.

On May 18, the Government sponsored a national conference on racism, xenophobia, anti-Semitism, and intolerance. At the conference the President announced that he would dedicate September 10 as a memorial day to victims of the Holocaust; the event took place as announced.

In September the Government approved an agreement between the Vatican and the Republic. In February the Ministry of Education and the Institute of Judaism undertook a joint educational project on Jewish history and culture that is targeted to elementary and high school teachers of history, civic education, and ethics. This project is intended to assist in educating the public about Jewish themes and increase tolerance toward minorities. The Government currently is seeking to obtain membership in the task force for international cooperation on Holocaust education, remembrance, and research.

In July 1999, the FJC in the Slovak Republic expressed its concern over the desecration of the monument to Holocaust victims located in the old city in Bratislava. Investigation into the case revealed that it was one of pure vandalism; no connection to racism was found.

In November 1999, Parliament passed legislation compensating Slovak citizens who were deported to German-controlled concentration camps during World War II on the basis of their nationality, race, or religion. For each month of deportation, those eligible are to receive a cash sum of \$75 (SK 3,000), plus a \$.75 (SK 30) addition to their monthly pension. Direct heirs of deceased victims, who at the time of deportation were minors, are entitled to a lump sum of up to approximately \$2,500 (SK 100,000). The legislation disqualifies the nearly 700 Slovak Jewish survivors from southern Slovakia, which was under Hungarian control during World War II, because they received compensation from the Hungarian Government.

In May 1998, the Supreme Court upheld a prior verdict that the publisher of Zmena weekly had to publish an apology to the honorary chairman of the FJC for abusing his person and offending his religious feelings. The

apology still was not published by year's end.

National/Racial/Ethnic Minorities

The Constitution provides minorities with the right to develop their own culture, receive information and education in their mother tongue, and participate in decisionmaking in matters affecting them. The Government continued to provide funding for cultural, educational, broadcasting, and publishing activities for the major ethnic minorities, but at greatly reduced levels. However, there is no comprehensive law against discrimination.

The largest minority is the ethnic Hungarian minority. It is concentrated primarily in the southern part of the country, with a population registered at 568,714 at the end of 1999 (150,000 of whom are thought to be Roma who speak Hungarian and choose to declare themselves as ethnic Hungarian). Most ethnic Hungarians and ethnic Slovaks living in mixed areas continued to coexist peacefully, but in recent years there have been occasional expressions of anti-Hungarian sentiments by Slovak nationalists. In 1998 the Slovak Government and the Government of Hungary signed an implementation agreement for their 1996 bilateral treaty, which called for the establishment of commissions to deal with the treatment of ethnic minorities. The commissions were established in February 1999.

A 1999 minority language law provides for the use of minority languages in official activities. According to the law, in places where a minority group constitutes at least 20 percent of the population, the minority language can be used in contacts with government officials. The law was deemed acceptable by the OSCE High Commissioner on National Minorities and the European Union. However, all members of the Hungarian coalition voted against the law because they felt that it did not ensure that the provisions in the new law would take precedence over the existing state language law. The Hungarian minority felt that a more comprehensive law was necessary, and that this law did not protect the use of Hungarian in cultural and educational activities. The Cabinet held numerous negotiations regarding the European Charter on Minority Languages, in an attempt to reach a solution acceptable to all government parties.

The special parliamentary advisory committee for Roma issues that was created in February 1999 met only twice this year.

In January 1999, Parliament amended three laws to permit bilingual recordkeeping at schools with Hungarian or other minority language instruction. As a result of these changes, the Ministry of Education ordered report cards in both Hungarian/Slovak and Ukrainian/Slovak versions.

Roma constitute the second largest ethnic minority, estimated by experts to number up to 500,000 citizens, although the Government officially reported 83,988 Roma in the country. Police on occasion beat Roma, and in a 1999 case allegedly shot a Rom during questioning at the police station (see Sections 1.a. and 1.c.). They suffer disproportionately from high levels of poverty and unemployment. Credible reports by human rights monitors indicated that Roma continued to suffer from discrimination in employment, housing, schooling, health care, and the administration of state services. Discrimination is most severe in the eastern part of the country, where unemployment is higher and the Romani population is larger. Among Roma living in settlements in the east, the unemployment rate is nearly 100 percent. In urban areas in the east, incidents of Roma being denied admission to certain hotels, restaurants, and swimming facilities are widely reported. According to the Office for Protection of Legal Rights (KPO), Roma are often segregated in hospitals, particularly in maternity wards, and some say Roma receive inferior care. The Ministry of Health promised in July to investigate the claim and to ensure that all citizens receive equal care and that wards are not segregated; the Ministry was continuing its investigation at year's end. The practice of unemployment offices identifying Roma in their records by placing an "R" next to their name in the register was eliminated by order from the National Labor Bureau. Romani children disproportionately are placed in special schools for the mentally retarded in many cases due to their insufficient knowledge of the Slovak language.

In August 1999, the Government increased the budget for the office of Special Government Commissioner for Roma Issues Vincent Danihel. The office's budget totaled \$667,000 (SK 30 million) in 2000; it funded 102 Roma projects. It also allocated about \$375,000 (SK approximately 15 million) for special projects aimed at improving the situation of Roma, including "Headstart" programs for Roma in 10 schools; training for Roma and non-Roma mayors, local government officials, and police officers; publication of two Romani textbooks in Slovak, Hungarian, and the Romani language; public television programs to educate the public about the Romani minority; support for the Kosice Roma secondary art school; and support for regional Roma cultural centers, social advisory bodies, and health care programs.

In September 1999, the Cabinet approved a new program, "the Strategy of the Slovak Republic for the Solution of the Problems of the Roma Minority," for addressing issues of the Romani minority. While many Romani leaders and experts on Roma issues believe that the strategy is a positive step, they also criticized it

for lacking specific proposals, being formulated with limited input from Roma, and not allocating sufficient resources. On April 7, the Cabinet approved an additional \$241,000 (approximately SK 10.5 million) for 56 assistance projects aimed at improving infrastructure and housing in Roma settlements.

During the year, approximately 3,387 Slovak citizens applied for asylum in Western European countries, mainly Belgium, the Czech Republic, Finland, Netherlands, and Norway, of which only 9 cases have been adjudicated successfully. Many human rights organizations claim that these asylum seekers migrate in order to receive the generous benefits to pay back incurred debt from high interest loans they have received from moneylenders. Allegedly the moneylenders organize these trips for the Romani families.

Illegal high interest moneylending to economically disadvantaged Roma occurs frequently and occasionally results in Roma losing all possessions including housing. The Government has not developed a concrete strategy to deal with this problem.

On August 4, SNS M.P. Vitazolslv Moric proposed setting up reservations for Slovak Roma who refuse to assimilate into society. He further said, "It is clear that many mentally retarded people are born into Romani communities, why should the State allow a moron to create another moron and thus raise the percentage of morons in our nation?" In response to his statements, the Slovak Romani initiative (RIS) filed a suit with the general prosecutor against Moric. On September 22, Parliament voted to lift his parliamentary immunity, thus allowing criminal prosecution on the grounds of instigating racial hatred.

Skinhead violence against Roma was a serious problem, and human rights monitors reported that police remain reluctant to take action. Occasionally police also infringed on Roma rights to social benefits and housing (see Sections 1.c. and 2.d.). Attacks against Roma continued at 1999 levels, however; these cases received increased media attention. The authorities sometimes tolerate such attacks. In May 1999, a Banska Bystrica court ruled that a crime that was committed by a skinhead against a Rom could not be racially motivated since they are of the same race.

On April 28, the Banska Bystrica district court issued a guilty verdict for the crime of bodily harm with a racial motive. The court found a skinhead guilty of racially motivated damage to health and sentenced him to 2 years in prison plus 3 years' probation for his 1996 verbal and physical abuse against a Rom. Lawyer Jan Hrubala claimed that this was the first time authorities had applied "racially motivated crimes" provisions of the Penal Code to an assault case.

Roma citizens have established their own police patrols in the largely Roma-populated Kosice suburb, Lunik IX, because of the alleged inability of local police to protect effectively the area. The unit was established and funded by the local self-government with assistance from the Society for Personal Safety of the Slovak Republic and has been successful in patrolling the area.

Members of Zebra, an organization representing interracial marriages, said that citizens of racially mixed background are denied equal access to opportunity. Further, they claim that skinhead violence has increased, and that police fail to protect adequately citizens from this violence.

Skinheads reportedly continued distributing racist materials to the mailboxes of Romani families in Kosice, Trebisov, and Plavecky Strvtok.

An international poll released in September indicated that 79 percent of Slovaks have a negative view of Roma, 46 percent believe that too many non-Slovaks reside in the Slovak Republic, and only 54 percent believe that Roma should have the same rights as Slovaks.

On January 7, skinheads beat an African American citizen. The victim sought medical treatment for a contusion in his head. The case was still pending at year's end.

On January 29, five skinheads attacked a black man in Bratislava and called him a black pig. The suspects were arrested but a racially-motivated verdict was not applied.

On February 17, eight male teenagers attacked two Japanese tourists in Bratislava. According to a police spokesperson, they were not seriously injured. The tourists apparently left the country after lodging a complaint with the police.

In March two Roma from the eastern town of Michalovce voluntarily came to the police station for questioning. They were allegedly beaten by some police officers. The victims suffered several injuries including broken

legs, hands, and ribs. When questioned about the incident, the police first claimed the action was justified but later admitted that it was unwarranted. Both policemen involved in the case were subsequently dismissed from active duty.

On March 11, approximately 20 supporters of the skinhead movement attacked 2 Brazilians and 2 Angolans in Bratislava. One of the victims escaped, but the skinheads beat the remaining three with baseball bats while shouting racist slogans. The case was still pending at year's end.

On March 27, 10 skinheads verbally abused an Afro-Slovak family with 3 small children, one of whom was disabled. When the family got into their car, the skinheads started to hit it with baseball bats. The family went to the police, who informed them that charges could not be filed because no one was injured.

On June 18, three Afghan men were attacked during a benefit concert for refugees organized by the UNHCR. All three victims were treated for injuries while one was hospitalized suffering from a concussion. The UNHCR spokesperson expressed disappointment over police reaction to the attack, claiming that "the officers just stood by for 2 or 3 minutes while the beatings took place."

On July 21, a group of 50 Roma armed with machetes, knives, axes, and iron rods allegedly forced a moving car to stop and attacked one of its occupants. The 21-year-old non-Roma victim is expected to spend up to 6 months in the hospital to recover. Police are investigating the motive for the attack.

Anastazia Balazova, Roma mother of eight, died of injuries from a beating by unknown assailants in her Zilina home on August 20. On September 23, Zilina regional police placed two suspects in custody and confirmed that the attack was racially motivated. Three suspects are currently imprisoned, one of whom is a Rom. The investigation continued at year's end; no conclusion had been made regarding whether or not the crime was racially motivated.

On August 30, Rom Jan Sudman was shot and injured in his hand by a pellet gun while doing clean-up work in the public works program. The case is currently under investigation. Allegedly other Roma participating in the public works program have also been attacked by skinheads, and citizens are deliberately throwing litter out their windows in response to their participation.

There was no progress during the year in a number of 1999 cases of violence against Roma. Many cases of skinhead violence that occurred in 1999 were dropped due to lack of witnesses.

During the most recent census (1991), 14,000 citizens registered themselves as Ukrainians, and 17,000 registered themselves as Ruthenians. However, the statistical office does not differentiate between Ruthenian and Ukrainian; it records 32,747 persons in the Ruthenian/Ukrainian ethnic group. The current Government also considers the Ruthenian and Ukrainian minorities as a single group. However, about 50,000 persons listed Ruthenian as their native language in the 1991 census. Ruthenians disagree that they are Ukrainians, and that their language is only a Ukrainian dialect. In September 1998, Slovak State Radio started broadcasting a long-promised daily regional program for the Ruthenian minority in Presov. However, after the 1998 parliamentary elections, this broadcasting was discontinued, and the broadcast is now in Ukrainian. There is a television broadcast in Ruthenian on STV, which is aired once every 2 months. In addition the Ruthenian minority receives state funding to publish a biweekly newspaper in Ukrainian. A representative of the Ruthenian Revival Organization stated that Ruthenian language instruction is provided in two schools in the northeast. There is an institute for minority languages at Presov University in the northeast. Two instructors at the Institute teach Ruthenian culture and language.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join unions, except in the armed forces. Approximately 45 percent of the work force is unionized. Most unions are independent of the Government and political parties but lobby those entities in order to gain support for union positions on key labor issues.

The Constitution provides for the right to strike, and there are no restrictions on this right. The national statistical office reported no official strikes during the year.

However, an increasing number of strike alerts and unofficial strikes were reported during the year. Many of these actions anticipated layoffs or protested the nonpayment or partial payment of salaries due to restructuring of the company or insolvency. Local unions also held strike alerts.

There were no instances of retribution against strikers or labor leaders. Relevant legislation on collective bargaining prohibits the dismissal of workers legally participating in strikes. However, according to this law, a strike is legal and official only if it is for the purpose of collective bargaining; if it is announced in advance; and if a list of strike participants is provided. If the strike is not considered to be official, strikers are not ensured protection.

Unions are free to form or join federations or confederations and to affiliate with and participate in international bodies.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining. Following the September 1998 parliamentary election the KOZ decided to reenter tripartite negotiations with employers and the Government. However, unions have expressed dissatisfaction with the Government, claiming that it has not included them in important decisionmaking and does not give adequate attention to their demands.

The law on citizens' associations prohibits discrimination by employers against union members and organizers. Complaints may be resolved either in collective negotiations or in court. If a court rules that an employer dismissed a worker for union activities or for any reason other than certain grounds for dismissal listed in the Labor Code, the employer must reinstate the worker. There were no reports of abuses targeted against unions or workers.

In July the Railway Workers, with the support of the ILO, appealed to the Government to amend the Act on Collective Bargaining to lower the quorum of employees necessary for the declaration of a strike and to eliminate the requirement that a list of employees participating in a strike be provided to the employer. Although the Government has developed draft amendments to this legislation, no agreement has been reached to date.

The 1996 Customs Act regulates free customs zones and customs warehouses. Firms operating in such zones must comply with the labor code; there have been no reports of special involvement by the trade unions to date. No special legislation governs labor relations in free trade zones.

c. Prohibition of Forced or Compulsory Labor

Both the Constitution and the employment act prohibit forced or compulsory labor, including that performed by children, and the Government enforces this prohibition effectively; however, trafficking in women and girls for the purpose of forced prostitution is a problem (see Sections 5 and 6.f.). The Ministry of Labor, Social Affairs, and Family, as well as district and local labor offices, have responsibility for enforcement.

d. Status of Child Labor Practices and Minimum Age for Employment

The Government ratified ILO convention 182 in 1999; it came into force in December, and the Government adheres to its standards. The law sets the minimum employment age at 15 years. Children must remain in school for 9 years, or until the age of 15, although this requirement is not enforced strictly, particularly for the Romani minority. Workers under the age of 16 may not work more than 33 hours per week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protections, though somewhat less stringent, apply to young workers up to the age of 18. The Ministry of Labor enforces this legislation. There were no reports of violations. The law and the Constitution prohibit forced and bonded child labor, and the Government enforces these prohibitions effectively; however, instances of trafficking in girls for the purpose of forced prostitution is a problem (see Sections 5, 6.c., and 6.f.).

e. Acceptable Conditions of Work

The minimum wage was \$93 (SK 4,000) per month during the year. Even when combined with special allowances paid to families with children it did not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage. No violations were reported. The standard workweek mandated by the Labor Code is 42.5 hours, although collective bargaining agreements have achieved reductions in some cases (most often to 40 hours). For state enterprises, the law requires overtime pay up to a maximum of 8 hours per week, and 150 hours per year, and provides 5 weeks of annual leave. Private enterprises can compensate their employees for more hours of overtime than stipulated by the law. There is no specifically mandated 24-hour rest period during the workweek. The trade unions, the Ministry of Labor, and local employment offices monitor observance of these laws, and the authorities

effectively enforce them.

The Labor Code establishes health and safety standards that the Office of Labor Safety effectively enforces. For hazardous employment, workers undergo medical screening under the supervision of a physician. They have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. Employees working under conditions endangering their health and safety for a certain period of time are entitled to paid "relaxation" leave in addition to their standard leave.

f. Trafficking in Persons

The law specifically prohibits trafficking in persons in all forms; however, there were instances of trafficking in women and girls. The country is a source country, a transit country, and a destination country for such victims of trafficking. There is no evidence of government involvement in or tolerance of trafficking, and the Ministry of Interior is involved in activities to combat trafficking. According to the Ministry of Interior, there were 13 documented cases of Slovak women being forced into prostitution in other countries or foreign women being forced into prostitution in the Slovak Republic during the year, of which 11 were resolved. A case can be documented either when a trafficked person files a complaint with the police or when the police initiate a criminal investigation against a suspected trafficker. During the year, there were 11 investigations opened against pimps, of which 7 were resolved. The problem received more public attention this year, but it is still likely that there are more cases than those that are documented. There are no NGO's or organizations that have as their main purpose to specifically provide support to victims of trafficking; however, women's NGO Fenestra provides support for these victims. In April a women's NGO, the Alliance for Women, sponsored a conference on trafficking.

In July an 18-year-old Roma girl from Hencovce was allegedly kidnaped, taken to the Czech Republic where she was sold for \$93, and forced into prostitution. This case is pending. Other Roma women have reported similar stories. Some NGO's argue that the women voluntarily chose the profession and then claim they were forced in order to avoid contempt from their community when they return, while others contend they were true victims of trafficking.

A report issued by the Ministry of Interior states that the Slovak Republic is a transit country for persons being trafficked mainly to Austria, the Czech Republic, and Germany for the purpose of forced prostitution. There were also reports of Slovak women being trafficked to Western Europe with promises of work as models, waitresses, and au pairs. Their passports were allegedly confiscated, and they were allegedly forced to work in adult entertainment clubs or as prostitutes. According to the report, 3 cases of trafficking were prosecuted in 1998 and 11 in 1999. There were four prosecuted cases of forced prostitution in 1998 and nine cases in 1999.

Some women from Russia and Ukraine reportedly are trafficked through the Slovak Republic on their way to countries such as Turkey, Greece, Italy, Germany, and Serbia, where they are forced to work as prostitutes. According to a report on trafficking in women issued by the Swedish National Criminal Investigation Department in March 1999, women from the Slovak Republic work in Sweden as prostitutes. In four 1998 court cases involving women trafficked to Sweden, some women came from the Slovak Republic, among other countries. Although previously it was primarily a source country, increasingly women from less prosperous eastern countries (including Russia, Belarus, Ukraine, Romania, and Bulgaria) find themselves trafficked through and to the Slovak Republic.

[End.]